

for six months preceding the charge, gross incompetency to practice Optometry, and the Board may refuse to grant a certificate to any person guilty of fraud in passing the examination or guilty at any time of felony or gross immorality or addicted to the liquor or drug habit to such a degree as to render him unfit to practice the profession of Optometry; but no certificate shall be revoked nor refused unless written charges have been filed against the accused in person, and at least ten days' written notice of the time and place of the hearing thereon, which shall be public, served upon the accused, and he be given an opportunity to confront the witness against him, offer testimony in his own behalf and be heard in person or by counsel. Witnesses at such hearing shall testify under oath and the Board may enforce the attendance of witnesses. The Board may at any time after the expiration of ninety days from its revocation issue a new certificate to anyone whose certificate has been revoked, when it is made to satisfactorily appear to the Board that the disqualification has been removed or ceased to exist, upon payment of such fees as are herein provided. Any Optometrist convicted a second time for violation of the provisions of this sub-title or whose certificate of registration or examination has been revoked shall not be permitted to practice Optometry in this State. An appeal may be taken from the action of the Board refusing to grant or revoking a certificate for such causes to three disinterested Optometrists, one of whom shall be appointed by said Board, another of whom shall be appointed by the appellant, and the two so appointed to select the third, and the decision of any two thereof shall be final and binding. Thirty dollars shall be deposited with said Board by said appellant prior to the selection of the three persons aforesaid for the purpose of defraying the expenses of said appeal. If the decision of the Board be not affirmed the said thirty dollars is to be returned to said appellant and the expenses of the appeal is to be borne by the Board.

1914, ch. 652, sec. 14.

265. It shall be unlawful for any person to knowingly sell to or prescribe glasses for persons with diseased eyes except it be with their knowledge and consent or on an order of or advice from a registered physician, or to sell to or prescribe concave glasses for a person under fifteen years of age except on an order of or advice from a registered physician. It shall not be construed as a violation of this section for a person to sell a duplicate or replace glasses for such cases cited in this section.

1914, ch. 652, sec. 15.

266. Any person who shall violate any of the preceding provisions of this sub-title shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not more than one hundred dollars, or imprisoned not more than thirty days, or both fined and imprisoned, and his license may be revoked in the discretion of the court.